

PRESS RELEASE

Congressman John Conyers, Jr.

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CONYERS INTRODUCES THE FREELANCE WRITERS AND ARTISTS PROTECTION ACT OF 2002

Congressman John Conyers, Jr., Ranking Member of the House Judiciary Committee issued the following statement regarding the introduction of the "Freelance Writers and Artists Protection Act of 2002":

"The advent of the Internet has created an entirely new market for the distribution of content, including music, movies, news articles, and photographs. And the desire for instant information has made it more important than ever to get that work out to millions of people instantly and, as such, to have the rights to the distribution of articles and graphics cleared immediately. As we saw from the *Tasini* case last year unfortunately, the benefits of instant information have not been shared with the creators of that information, namely the freelance writers and artists.

Because the publishers know the value of the articles and graphics, they are forcing the creators to accept "take it or leave it" – or adhesion – contracts that require them to sign away their copyrights forever or under unreasonable conditions if they wish to have their work published.

This bill is designed to remedy the imbalances between freelance writers and freelance artists and the publishers that allow these inequities to exist. The bill has two major components:

First, it gives freelance writers and artists an antitrust exemption so they can present a united front against the big media companies who have been forcing them to sign contracts of adhesion. Because they are not employees of the publishers, the freelancers do not have the same legal right to bargain as a unit; as a result, each freelancer must negotiate as an individual with the publishers. The bill fixes this problem and makes it easier for them to bargain for their rights as a collective.

Second, because of the speed and nature of the publishing industry, these same freelance writers and artists often do not have time to have their works protected under the copyright laws before the publications they go into are printed and receive copyright protection. This is a problem because the creators may not receive relief under the copyright laws if their works are stolen. The bill remedies that by allowing for the individual works to be protected once the publications themselves receive protection. In doing so, it will be easier for the actual creators of the stories and graphics to be eligible for the relief they deserve.

I hope this bill can be the start of productive discussions in the House and particularly in the Judiciary Committee about how we can enhance the power of freelance writers and artists and how we can protect their work."